

EXECUTIVE OFFICER SUMMARY REPORT
June 8, 2005

ITEM: 5.

SUBJECT: WASTE DISCHARGE REQUIREMENTS
Tentative Addendum No. 2 to Order No. 93-86

PURPOSE: Tentative Addendum No. 2 to Order 93-86 updates requirements for the Otay/Otay Annex Class III, Anza Sanitary Landfill, and West Miramar Class III Landfill.

PUBLIC NOTICE: A Public Notice of Tentative Addendum No. 2 to Order 93-86 was published in the Orange County Register on April 7, 2005, the San Diego Union Tribune on April 8, 2005, and the North County Times on April 9, 2005. The addendum was added to the Regional Board's May 2005 agenda. A copy of the public notice in the May 2005 agenda was posted on the Regional Water Quality Control Board – San Diego Region's web site with copies emailed to interested parties.

DISCUSSION: The Otay/Otay Annex Landfill and the West Miramar Landfill are active Class III municipal solid waste landfills. The Anza Sanitary Landfill (Anza Landfill) is an inactive landfill undergoing closure. All these facilities are subject to State (California Code of Regulations, Title 27) and Federal (Code of Federal Regulations, Title 40, Part 258) regulatory requirements.

Amendments (2004) to sections 25143.1.5 and 25150.7 of the California Health and Safety Code specify conditions whereby treated wood waste may be discharged into a composite lined portion of a solid waste landfill unit equipped with either a prescriptive or engineered alternative liner and a leachate collection and removal system.

"Treated wood" is defined as wood that has been treated with chemical preservatives for protecting wood against insects, microorganisms, fungi, and other environmental conditions that can lead to decay of the wood. "Treated wood" may include but is not limited to waste wood treated with chromated copper arsenate (CCA), pentachlorophenol, creosote, acid copper chromate (ACC), ammoniacal copper arsenate (ACA), ammoniacal copper zinc arsenate (ACZA), or chromated zinc chloride (CZC).

Tentative Addendum No. 2 to Order 93-86 would allow the Otay/Otay Annex and West Miramar Landfills to accept treated wood wastes for disposal in compliance with the requirements of California Health and Safety Code Sections 25143.1.5 and 25150.7. The tentative addendum specifically restricts the discharge of treated wood wastes to landfill units equipped with an engineered alternative liner and leachate collection and removal system (LCRS). Finding No. 2 of tentative Addendum No. 2 identifies the Anza Sanitary Landfill as an inactive facility, undergoing closure, and concludes that it is proper to exclude that facility from the treated wood waste specifications of Addendum No. 2 to Order 93-86.

Tentative Addendum No. 2 to Order 93-86 would also require the owner/operators of each facility to comply with the electronic reporting requirements, including technical reports, monitoring reports, analytical results, and other submittals, in accordance with Section 3890 *et. seq.* Title 23, of the California Code of Regulations.

KEY ISSUES:

Tentative Addendum No. 2 to Order 93-86 would:

- a). Allow the Otay/Otay Annex and West Miramar Landfills to accept treated wood wastes for disposal in compliance with California Health and Safety Code Sections 25143.1.5 and 25150.7 and,
- b). Require the Otay/Otay Annex, Anza, and West Miramar Landfills to submit future reports electronically, in accordance with Section 3890 *et. seq.*, Title 23, of the California Code of Regulations.

LEGAL CONCERNS:

None.

SUPPORTING DOCUMENTS:

1. Otay/Otay Annex and West Miramar Location Map
2. Anza Location Map
3. Tentative Addendum No. 2 to Order 93-86
4. Public Comments Received
5. Revised Tentative Addendum No. 2 to Order 93-86
6. California Health and Safety Code Sections 25143.1.5 and 25150.7
7. Assembly Bill 1353
8. Public Notification Record
9. Wood Preserving Chemicals Phase I Study

SIGNIFICANT

Beginning July 1, 2005, the submittal of a complete copy of

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reports in PDF format into the on-line Geotracker database will replace the paper copy requirements of these reports. The electronic information in Geotracker will be used for all public information requests, regulatory review, and compliance / enforcement activities previously submitted in paper format. Tentative Addendum No. 2 to Order 93-86 requires the Dischargers to continue providing the Regional Board with complete copies of all technical submittals. This will allow the Regional Board time to acquire the technical capability to process and manage electronic data. Eventually, the electronic reporting requirements will facilitate public reviews and reduce paper submittals to the Regional Board.

Tentative Addendum No. 2 to Order 93-86 contains specific discharge specifications for disposal of treated wood wastes and prohibits the disposal of treated wood wastes that are classified as RCRA hazardous wastes under Federal requirements.

**COMPLIANCE
RECORD:**

The Otay/Otay Annex and West Miramar Sanitary Landfills are in compliance with applicable Federal and State regulations and Regional Board Orders and requirements.

RECOMMENDATION:

Adoption of tentative Addendum No. 2 to Order No. 93-86 is recommended.